

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT**

IN RE:
Scott C Denson

CHAPTER 13
CASE NUMBER: 18-32635
JUDGE Daniel S Opperman

Debtor(s).

OBJECTION TO CLAIM #12 OF TOYOTA MOTOR CREDIT CORPORATION

NOW COMES Debtors, by and through their attorney, and hereby objects to claims #12 filed by Toyota Motor Credit Corporation. (hereinafter "Creditor") on the following basis:

1. On January 16, 2019, Creditor filed claim #12 in the amount of \$15,285.56 for secured claim on 2014 Toyota Camry.
2. Debtor prior to filing Bankruptcy hired Toyota Finance Corps mediary to sell the vehicle on Craigslist. The vehicle was sold and the mediary informed the Debtor that the check had cleared allowing the Buyer to take possession of the 2014 Toyota Camry with a clear title. Days after the sale, Toyota Finance Corp contacted the Debtor stating that the check did not actually clear making the Debtor responsible for the remaining balance. (Exhibit A)
3. Debtor objects to the secured claim as the balance has been paid in full (Exhibit B).
4. Debtor has also received an overpayment refund from Toyota Motor Credit Corporation proving that the debt has been paid in full (Exhibit C).
5. Debtor has a pending litigation against Toyota Motor Credit Corporation, as indicated on Schedule B of the Bankruptcy Petition. Debtor's attorney is Dani Liblang, Liblang & Associates, 346 Park St, Birmingham, MI 48009, (248) 540-9270.
6. That Debtor requests that the Court Deny Toyota Motor Credit Corporation's Claim as the debt has been paid in full.

WHEREFORE, Debtors pray this Honorable Court enter an order denying the Creditor's claim, #12 as the debt had been paid in full.

Dated: February 12, 2019

/s/ Anthony Abueita
Anthony Abueita P70755
Attorney for Debtor
703 S. Grand Traverse
Flint, MI 48502
810.235.8669
abueitalaw@gmail.com

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IN RE:

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Debtor(s).

**ORDER GRANTING OBJECTION TO CLAIM #12 OF TOYOTA MOTOR CREDIT
CORPORATION**

This matter having come on for hearing before the Court by way of the objection of the Debtor to the allowance of the claim of the above referenced creditor, service having been made with a notice of hearing allowing a thirty (30) day notice pursuant to Bankruptcy Rule 3007, a hearing having been held, the Court having heard the matter in open Court and for the reason stated on the record;

NOW THEREFORE,

IT IS HEREBY ORDERED that the Creditor's claim, #12 is denied as debt has been paid in full.

**UNITED STATES BANKRUPTCY COURT
UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN – SOUTHERN DIVISION AT FLINT**

IN RE:
Scott C Denson

CASE NO.: 18-32635
CHAPTER 13 PROCEEDINGS
JUDGE DANIEL S. OPPERMAN

Debtor(s) _____/

**NOTICE TO RESPONDANT OF OBJECTION TO CLAIM #12 OF TOYOTA MOTOR
CREDIT CORPORATION**

PLEASE TAKE NOTICE that Anthony Abueita, PLC, Attorney for Debtor, has filed a an objection to your claim in this bankruptcy case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in the bankruptcy case. (If you do not have an attorney, you may wish to consult one.) Your claim may be reduced, modified or denied.

If you do not want the court to deny or change your claim, then on or before 7 days prior to said hearing date, you or your attorney must:

1. File with the court a written response or answer, explaining your position at:
United States Bankruptcy Court
226 W Second Street, Flint, Michigan 48502

If you mail your response to the court for filing, you must also mail it early enough so the court will receive it on or before the date stated above.
You must also mail a copy to:

Anthony Abueita, PLC
703 S Grand Traverse Ave, Flint, MI 48502

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: February 12, 2019

/s/ Anthony Abueita
Anthony Abueita
P70755
Attorney for Debtor
703 S. Grand Traverse
Flint, MI 48502
810.235.8669
abueitalaw@gmail.com

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PROOF OF SERVICE

I, Anthony Abueita, hereby swear under penalty of perjury that on the date indicated below, I served copies of the following documents:

- 1. OBJECTION TO CLAIM #12 OF TOYOTA MOTOR CREDIT CORPORATION**
- 2. NOTICE OF OBJECTION TO CLAIM**
- 3. NOTICE OF HEARING**
- 4. PROOF OF SERVICE**

Upon the following parties at the addresses as indicated below by first class mail of the following documents:

Toyota Motor Credit Corporation
P.O. Box 9013
Addison, TX 75001

Toyota Motor Credit Corporation
PO BOX 9490
Cedar Rapids, IA 52409

Jason A Cottrill
Bonial & Associates, PC
PO BOX 9013
Addison TX, 75001

and the US Trustee and Chapter 13 Trustee via ECF.

February 12, 2019

/s/ Anthony Abueita
Anthony Abueita P70755
Attorney for Debtor
703 S. Grand Traverse
Flint, MI 48502
810.235.8669
abueitalaw@gmail.com

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Debtor(s).

NOTICE OF HEARING

Please take notice that a hearing on the Debtor's **OBJECTION TO CLAIM #12 OF TOYOTA MOTOR CREDIT CORPORATION** will be held at US Bankruptcy Court Courtroom, 226 West Second St, Flint, MI 48502 on March 19, 2019 at 9:00 a.m.

February 12, 2019

/s/ Anthony Abueita
Anthony Abueita P70755
Attorney for Debtor
703 S. Grand Traverse
Flint, MI 48502
810.235.8669
abueitalaw@gmail.com